

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 2:21-cr-130
)	
TRAVIS JAMES MUCKELROY,)	
)	
Defendant.)	

GOVERNMENT’S MOTION TO AMEND

The United States of America, by Jessica D. Aber, United States Attorney, and Matthew J. Heck, Assistant United States Attorney, hereby moves to amend the statement of facts filed on February 2, 2022. ECF No. 30.

FACTUAL BACKGROUND

On February 2, 2022, pursuant to a plea agreement the defendant pled guilty to Count 2 of the Indictment, charging him with coercion and enticement of a minor, in violation of 18 U.S.C. § 2422(b). In accordance with the plea agreement the defendant agreed to and signed a statement of facts. That statement of facts was accepted by United States Magistrate Judge Robert J. Krask and filed accordingly. ECF. No. 30.

To facilitate a timely plea favorable to the defense the Government drafted that statement of facts prior to law enforcement’s write up of the interview of the Jane Doe 2. The write up of the Jane Doe 2’s interview was completed after the defendant pled guilty in this case. On or about April 5, 2022, when reviewing the write up of Jane Doe 2’s statement the Government recognized an inaccuracy in the statement of facts and the defense was promptly notified.

Paragraph 23 of the original statement of facts alleged that the defendant received a video containing child pornography from Jane Doe 2, when in fact Jane Doe 2 told law

enforcement, she sent the defendant a digital picture containing child pornography. The Government drafted up a revised statement of facts and sent it to defense on April 5, 2022. The defense agreed to amend the statement of facts and initialed and signed it on May 9, 2022. Attachment 1.

For the reasons stated above, the United States and the Federal Public Defender request that the Court substitute the amended the statement of facts.

Respectfully submitted,

Jessica D. Aber
United States Attorney

By: _____/s/
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Assistant United States Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on this May 25th, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

/s/

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